

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-14 remain pending in the application.

In numbered paragraph 1 of the Office Action, the Abstract is objected on the basis of minor informalities. A new Abstract is submitted herewith which addresses the Examiner's concern. Withdrawal of the objection to the Abstract is respectfully requested.

In numbered paragraph 2, the specification is objected to on the basis of minor informalities. By the foregoing amendment, the U.S. Patent Application serial number is identified to replace the previous reference to an Attorney Docket Number. Withdrawal of the objection to the specification is respectfully requested.

In numbered paragraph 5, objections are raised with respect to claim 14 on the basis of minor informalities. By the foregoing amendment, a comma is inserted in claim 14 to obviate the claim objection. Withdrawal of the objection to claim 14 is respectfully requested.

In numbered paragraph 6, claims 1-13 are rejected under 35 U.S.C. §112, second paragraph. Specifically, with respect to claim 1, the Office Action asserts that it is not clear whether a raising frame is the same as a lifting frame. By the foregoing amendment, claim 1 is amended to delete "a lifting frame." As amended, claim 1 recites a raising frame, which encompasses the exemplary raising frame 21 in Figure 1. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph with respect to claims 1-13 is requested in light of the foregoing amendment.

All of the claim amendments are intended to address formalities with respect to objections raised by the Examiner, and no narrowing amendments have been proposed.

In numbered paragraph 9, independent claims 1 and 14, along with various dependent claims, are rejected as being anticipated by U.S. Patent No. 4,456,086 (Wier et al.). Specifically, the Office Action asserts at paragraph 9 that the Wier et al. patent discloses "an integrated wheelchair comprising a wheel frame (84), a raising frame (34) and a lifting device (68) for adjusting a height level of the raising frame both in sitting and a in standing position." This rejection is respectfully traversed.

The Wier et al. patent does not disclose "the lifting device extends from a front region of the wheel frame to a front region of the raising frame and is of such a construction that on a lifting operation the raising frame is moved both upward and forward," as recited in claims 1 and 14. A lifting device such as the exemplary lifting device 29 of the Applicant's Figure 1 is encompassed by Applicant's claims 1 and 14. The lifting device 29 moves the height level of a person supported by the claimed raising wheel chair. For example, the lifting device 29 can be operated to lift a supported person to enable the person to grip an elevated object. Because the lifting device recited in claims 1 and 14 moves the raising frame upward and forward, a person on the claimed raising wheel chair can access an object shelved high and deep. The Wier et al. patent does not disclose or suggest a raising wheel chair having a lifting device as claimed.

With respect to claims 1 and 14, the Wier et al. patent shows in Fig. 1 a view of a paraplegic supported in a standing or upright position on the ambulator. Fig. 3 shows a rear view of the ambulatory in an upright position. Fig. 2 shows the

ambulatory in a middle position between the upright standing position and the lowered sitting position. Regardless of the position, the small base 16 of the ambulatory 10 does not elevate. In contrast, the lifting device of Applicant's claims 1 and 14 can lift the raising frame upward and forward, to lift a supported person **both** in a sitting and in a standing position.

The Wier et al. patent does not lift the entire body of a supported person. The Wier et al. patent clearly lacks the claimed lifting device. Accordingly, the Wier et al. patent does not anticipate Applicant's claims 1 and 14, and these claims are allowable.

The dependent claims are therefore also allowable for reasons already discussed. In addition, these claims recite other features which are not disclosed or suggested by the Wier et al. patent. For example, the Wier et al. patent does not disclose "the lifting device comprises on each side of the chair telescopic guide means," as recited in claims 3 and 9. Instead, the wheelchair as disclosed by the Wier et al. patent merely serves to move between sitting and standing support positions.

In addition, the Wier et al. patent does not disclose "the telescopic guide means have a forward inclination from bottom to top," as recited in claim 4. Instead, the gas springs 75 as disclosed by the Wier et al. patent inclines backward in merely moving between sitting and standing support positions. The Wier et al. patent also fails to disclose "the wheel frame is provided with a middle wheel drive," as recited in claims 5 and 11. Instead, the wheelchair as disclosed by the Wier et al. patent is shown to have only four wheels, and is a front wheel drive.

For the foregoing reasons, Applicant's claim 1 is allowable over the Wier et al. patent. Because independent claim 14 recites similar features to those recited in claim 1, claim 14 is also allowable. The remaining claims depend from independent claim 1 and recite additional advantageous features which further distinguish over the documents relied upon by the Examiner. As such, the present application is in condition for allowance.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

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